

In re of Appln. No. 09/830,357  
Amdt. dated February 23, 2004  
Reply to Office action of

**REMARKS**

The Office Action and the cited and applied references have been carefully reviewed. Claims 84-86 and 91 are allowed. Claims 81, 83, 87, 88, and 90 also presently appear in this application and define patentable subject matter warranting their allowance. Reconsideration and allowance are hereby respectfully solicited.

Claim 90 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claim 90 is now rewritten in independent form, thereby obviating this objection.

Claims 79-83 and 87-88 have been objected to under 37 C.F.R. § 1.75 (c) as being of improper dependent form. This objection is obviated by the amendments to the claims.

Claims 61-65, 71-73, 77-83, 87-92, 97-100 and 102 have been rejected under 35 U.S.C. § 103 (a) as being unpatentable over Hagiwara (JP 07292385) in view of W.R. Grace (GB Patent 1,146,558), Nippon Grease (JP 56079194) and in further view of Moskowitz (U.S. Patent 5,268,186), Merck Index and applicants' admission at page 7, lines 20-26 and page 12, lines 1-11. This rejection is respectfully traversed.

It is believed that claims 90 and 91 are inadvertently included in this rejection because claims 90 and

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91 are already indicated by the examiner as being respectively objected to and allowed.

The rejection insofar as claims 61-65, 71-73, 77-80, 82, 89, 92, and 97-100 are concerned is obviated by the cancellation without prejudice of these rejected claims.

With regard to claims 81, 83, 87, and 88, the cited and applied references do not teach a homogeneous semi-solid paste consisting essentially of fish oil and beeswax with a particular percentage of fish oil, and so claims 87 and 88 (with claims 81 and 83 dependent from claim 88) should be allowable for the same reasons that claims 84 and 85 are found to be allowable by the examiner and therefore not subject to this rejection. Applicant points out that the recitation in claims 87 and 88 of an additional ingredient selected from odorants and flavoring agents (present in very small amounts, as at least 80% by weight is fish oil with the remainder being beeswax) does not vitiate the "consisting essentially of" language as the additional ingredient cannot be one that would prevent or destroy the basic and novel properties of the claimed composition, i.e., preventing it from being a homogeneous semi-solid paste for spreading.

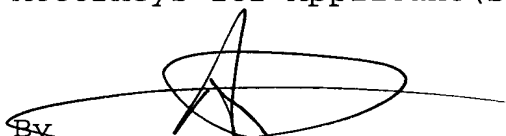
Reconsideration and withdrawal of the rejection are therefore respectfully requested.

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In view of the above, the claims define patentable  
subject matter warranting their allowance. Favorable  
consideration and early allowance are earnestly urged.

Respectfully submitted,

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